



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 11-17

March 1, 2012

T-Mobile Northeast LLC Petition for Limited Designation as an Eligible Telecommunications Carrier for Purposes of Low Income Support Only

ORDER OF DISMISSAL WITHOUT PREJUDICE

On or about November 10, 2011, T-Mobile Northeast LLC (“T-Mobile”) filed a petition (“Petition”) for designation as an eligible telecommunications carrier (“ETC”) pursuant to 47 U.S.C. § 214(e)(2) with the Department of Telecommunications and Cable (“Department”). Petition at 1. T-Mobile requests that it be granted ETC designation within the service area in Massachusetts identified in Exhibit A to its Petition, for the purpose of receiving federal universal service Lifeline and Link-Up support for wireless services. *Id.* For the reasons discussed below, the Petition is dismissed without prejudice.

The Federal Communications Commission (“FCC”) issued its Lifeline and Link-Up Reform Order on February 6, 2012. *See In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42 (Feb. 6, 2012) (“Reform Order”). In the Reform Order, the FCC established comprehensive changes to the administration of the Lifeline program and eliminated Link-Up support for ETCs on non-tribal lands. *Id.* The Department finds that T-Mobile’s Petition, as presently filed, does not adequately address the new requirements and

procedures established by the Reform Order. Accordingly, the Department dismisses T-Mobile's Petition without prejudice. In the event T-Mobile intends to pursue ETC designation in Massachusetts, the Department hereby directs T-Mobile to file a new Petition that includes, but is not necessarily limited to, detailed descriptions of the following:

- (1) The measures T-Mobile will take to comply with the obligations set forth in the Reform Order;
- (2) T-Mobile's Lifeline service plan offerings in view of the elimination of Link-Up support;
- (3) T-Mobile's plans to provide Lifeline subscribers with 911 and E911 access and compliant handsets;
- (4) T-Mobile's ability to comply with any statutory obligations for ETC designation; and
- (5) Any additional measures T-Mobile will take to prevent waste, fraud, and abuse of the Lifeline program.

Accordingly, it is hereby

ORDERED: T-Mobile's Petition is **DISMISSED** without prejudice; and it is

FURTHER ORDERED: T-Mobile may re-file its Petition for designation as an ETC without the required filing fee if the Petition is filed within 180 days of the date of this Order.

By Order of the Department

/s/ *Geoffrey G. Why*_____
Geoffrey G. Why
Commissioner